

George W. Epps, Jr. testifies by affidavit in substance as follows:

“I am the George Epps who testified in the trial of the case of the State of Georgia vs. Leo M. Frank. Since signing an affidavit this morning with reference to what occurred in Birmingham, Ala., I have seen on the street the man who took me from Atlanta, Ga. to Birmingham, and who passed with me under the name of Terry. I picked him out on the street at a bootblack stand near the corner of Hunter and South Pryor Streets. I spoke to him and he spoke to me. I called him ‘Mr. Terry.’ I am positive that he is the man. I never knew him under any other name except the name Terry. Mr. N.A. Garner was with me at the time I saw him and addressed the man as Jimmie Wrenn, and Terry asked: ‘What did you call me, Kelly?’ I said ‘No, I didn’t call you Kelly; I called you Terry – the name you gave me.’”